

City Council
Atlanta, Georgia

06-O-1950

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-92
Date Filed: 7-13-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **575 Boulevard, S.E.(aka 578 Rosalia Street, S.E.)** be changed from the R-5 (Two-family Residential) District to the MRC-1-C (Mixed Residential Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 44, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-06-92 for 575 Boulevard, S.E. (578 Rosalia Street, S.E.)

1. A site plan that is similar to the site plan titled, “575 Boulevard, SE /574 Rosalia– Former Grant Park Aldersgate United Methodist Church”, stamped as received by the Bureau of Planning on February 1, 2008.
2. In the event of a conflict between the Grant Park Historic District Regulations (“GP HD regulations”) and the applicable zoning for the subject property and the conditions herein, then the GP HD regulations shall take precedence.
3. Any party making a request for an administrative site plan change must submit the proposed changes to the Neighborhood Planning Unit-W (NPU-W) Zoning Contact at the same time the request is submitted to the City of Atlanta. Evidence of the provision of this request to the NPU-W Zoning Contact shall be submitted to the City of Atlanta as a part of the request for the change.
4. Any application for a Special Administrative Permit (SAP) and/or other any other administrative variation to zoning regulations, submitted to the City of Atlanta, shall be submitted to the NPU-W Zoning Contact by the party seeking the SAP and/or variation at the same time. Evidence of the provision of this request to the NPU-W Zoning Contact shall be submitted to the City of Atlanta as a part of the request for the change.
5. West side façade is street facing for Atlanta Urban Design Commission (“AUDC”) and Zoning Ordinance purposes. Balconies may be constructed on west side façade; however, AUDC will review and make a recommendation regarding the style, design and massing of the balconies.
 - a. No use of any combustible materials for the purpose of cooking food or otherwise is allowed on the balconies.
 - b. The distance from the west side of the building to the west side of the balcony cannot be more than ten feet.
 - c. No personal property may be placed on the balconies.
 - d. No animals shall be allowed on the balconies.
6. No more than nine (9) units shall be allowed to be rented at any given period for the purpose of both living and working. The commercial space in the Sanctuary shall be allowed to be rented. No other rental of property is allowed.
7. Free Standing signs as defined by City of Atlanta Zoning Ordinance of 1982, as amended, Section (Section) 16-28A.004 are prohibited.
8. Any bulk trash story container a/k/a “dumpster” which is located on the property shall surrounding by walls made out of brick in a lattice pattern which allows for airflow, but shields the dumpster from view. There shall be an opaque door from which the container may be accessed.
9. At least eighteen (18) parking spaces on the premises must be dedicated exclusive to the lessees’ of the afore-mentioned rental spaces and any visitors they may have.
10. All exterior lights at a height above ten (10) feet from grade shall be shielded so to prevent any illumination from extending past the sidewalk surrounding the property.
11. Existing signs on the East and South faces of the building and belfry will be removed.

12. In the event that it is necessary to take action to deal with Storm water runoff, a retention vault will be constructed under the current parking lot. An application will be made to the City of Atlanta to allow for sufficient water to be retained for use in irrigation of vegetation. The Department of Watershed Management will have final approval of this action.
13. Any repair or other modification of existing sidewalks shall be designed in accordance with the drawing titled "Sidewalk Details" attached to these conditions as Exhibit A.
14. All construction work shall be limited to 7:00 AM to 7:00 PM. No construction work is permitted on Sunday.
15. There shall be a six (6) foot tall opaque property fence framing the parking lot. At least one tree shall be planted every eight (8) feet along the interior of the fence and no tree shall be less than 8 inches in caliper when planted. These requirements do not prohibit application of the district regulations.
16. Any new HVAC or other new mechanical equipment shall be located on the north side of the property.
17. Any new utility meters shall either be located inside the principal structure or in the north side courtyard of the property.
18. The following uses are prohibited:
 - a. Automobile Service Stations, Car Washes;
 - b. Commercial Greenhouses;
 - c. No Patio dining or outdoor seating;
 - d. Laundry and dry-cleaning stores, collection stations or plants; laundry and dry cleaning establishments where customers operate equipment;
 - e. Mortuary and funeral homes;
 - f. New and used car sales, including other motorized vehicles such as mopeds and motorcycles;
 - g. Nursing homes and convalescent centers; or,
 - h. Park-for-hire parking decks.

Site Plan
10/05/07
Details required
for MRC-1
Re-Zoning
Application

(& Tree Preservation
 Plan.)
 No trees will be
 removed as part of
 Proposed
 construction.

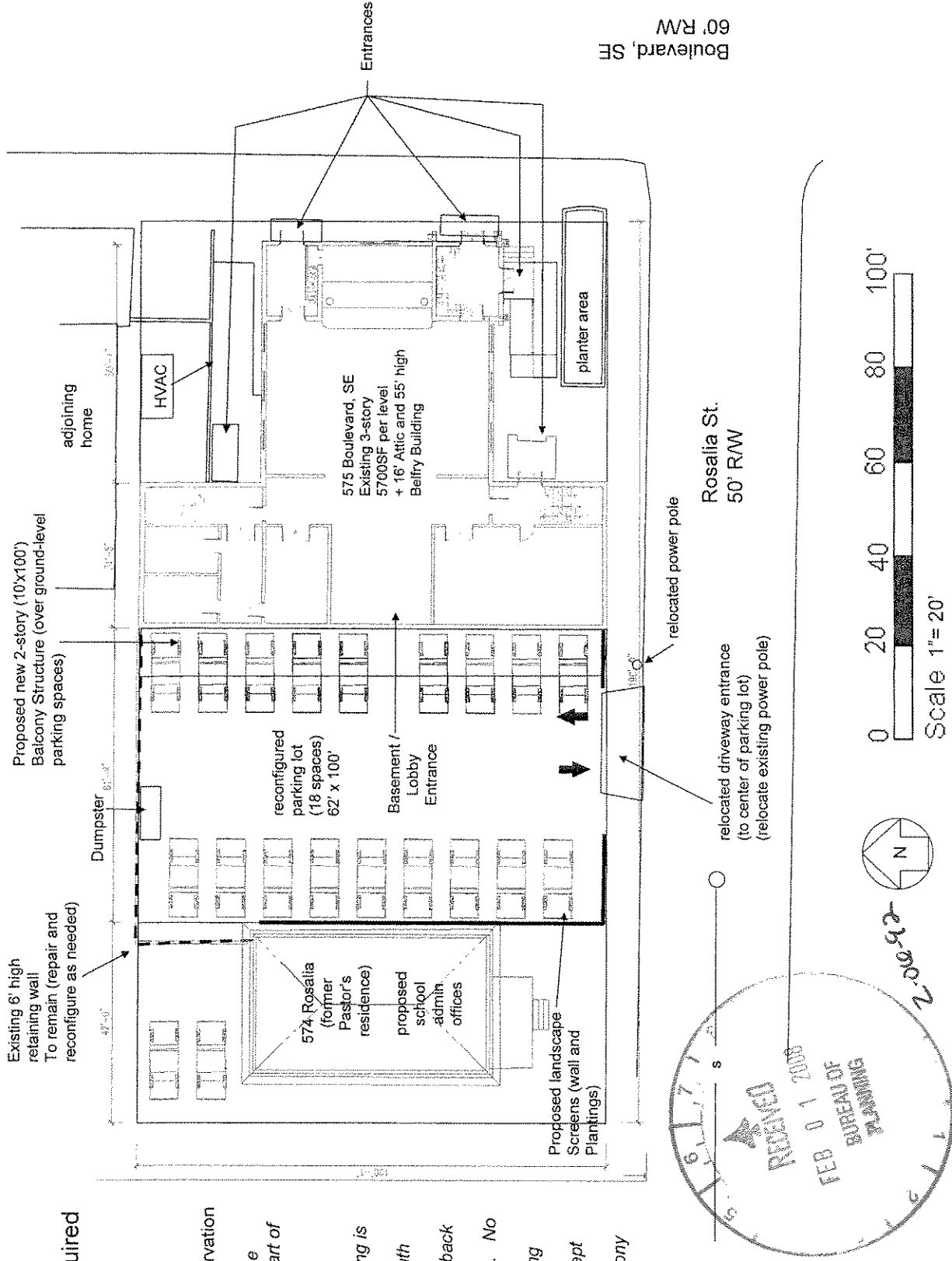
Existing building is
 at lot line on
 North and South
 boundaries.
 Building is setback
 10' from
 Boulevard P/L. No
 changes to
 existing building
 footprint are
 proposed except
 "stand alone"
 two story balcony
 structure on
 west façade.



575 Boulevard, SE, 574 Rosalia
 Former Grant Park-Aldersgate United Methodist Church
 Site Plan for Re-Zoning Application Process - MRC-1 Zoning Applied for

Site Plan:
 Dimensions are
 Per Survey by
 Ambient Technical
 Services
 10/5/07

C.1

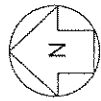
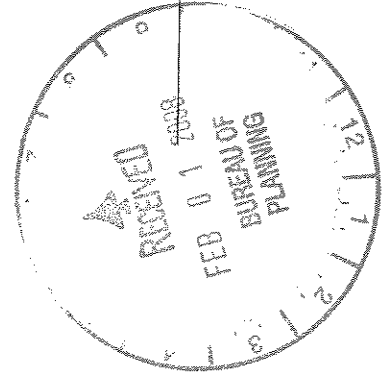
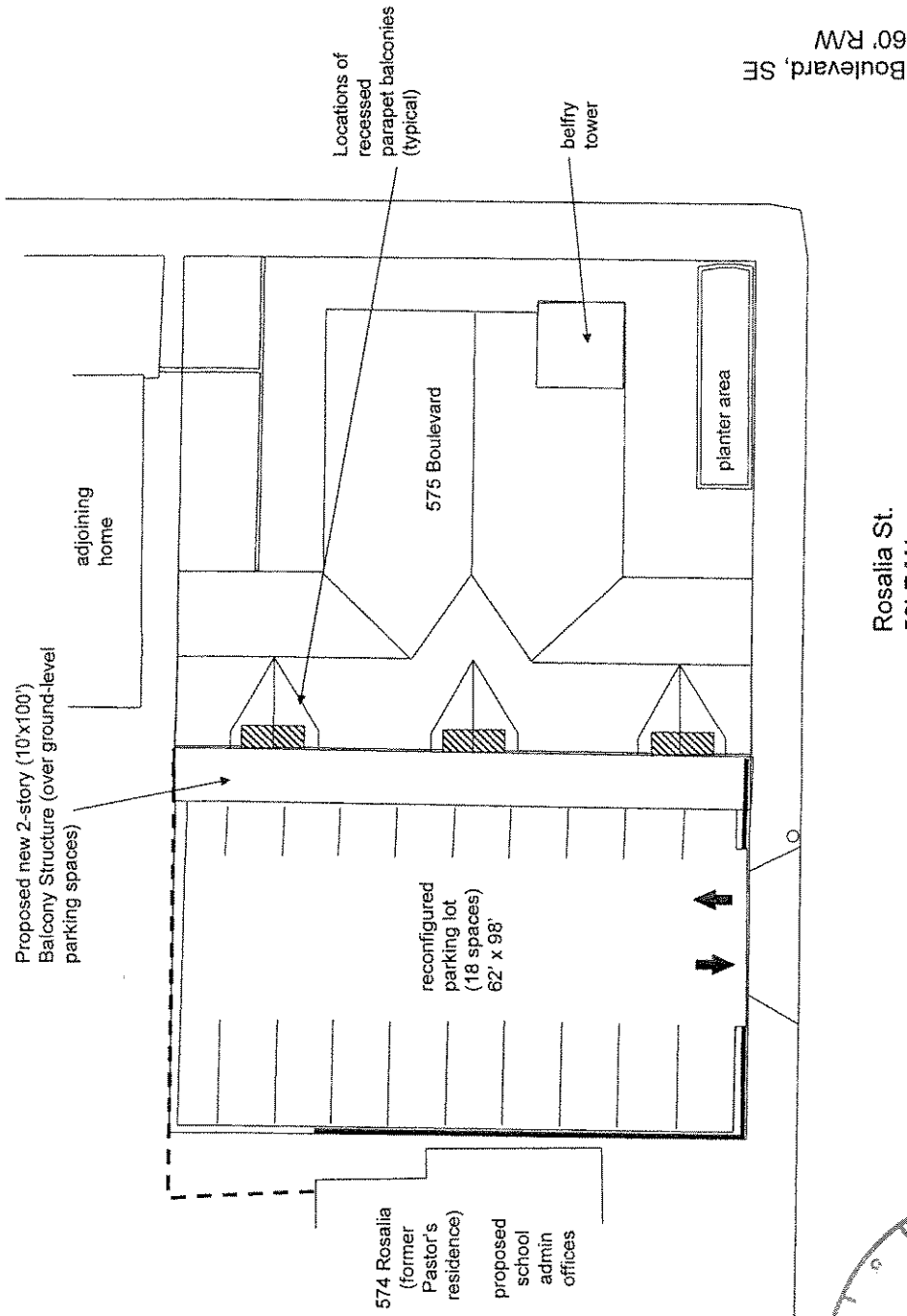




575 Boulevard, SE, 574 Rosalia
Former Grant Park- Aldersgate United Methodist Church
Roof Plan for UDC Review Process - MRC-1 Zoning Applied for

Roof Plan:
Locations
of roof parapet
Balconies
10/5/07

R.1



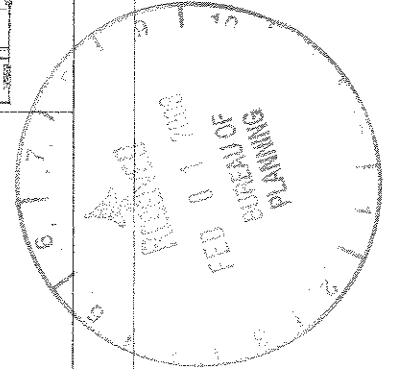
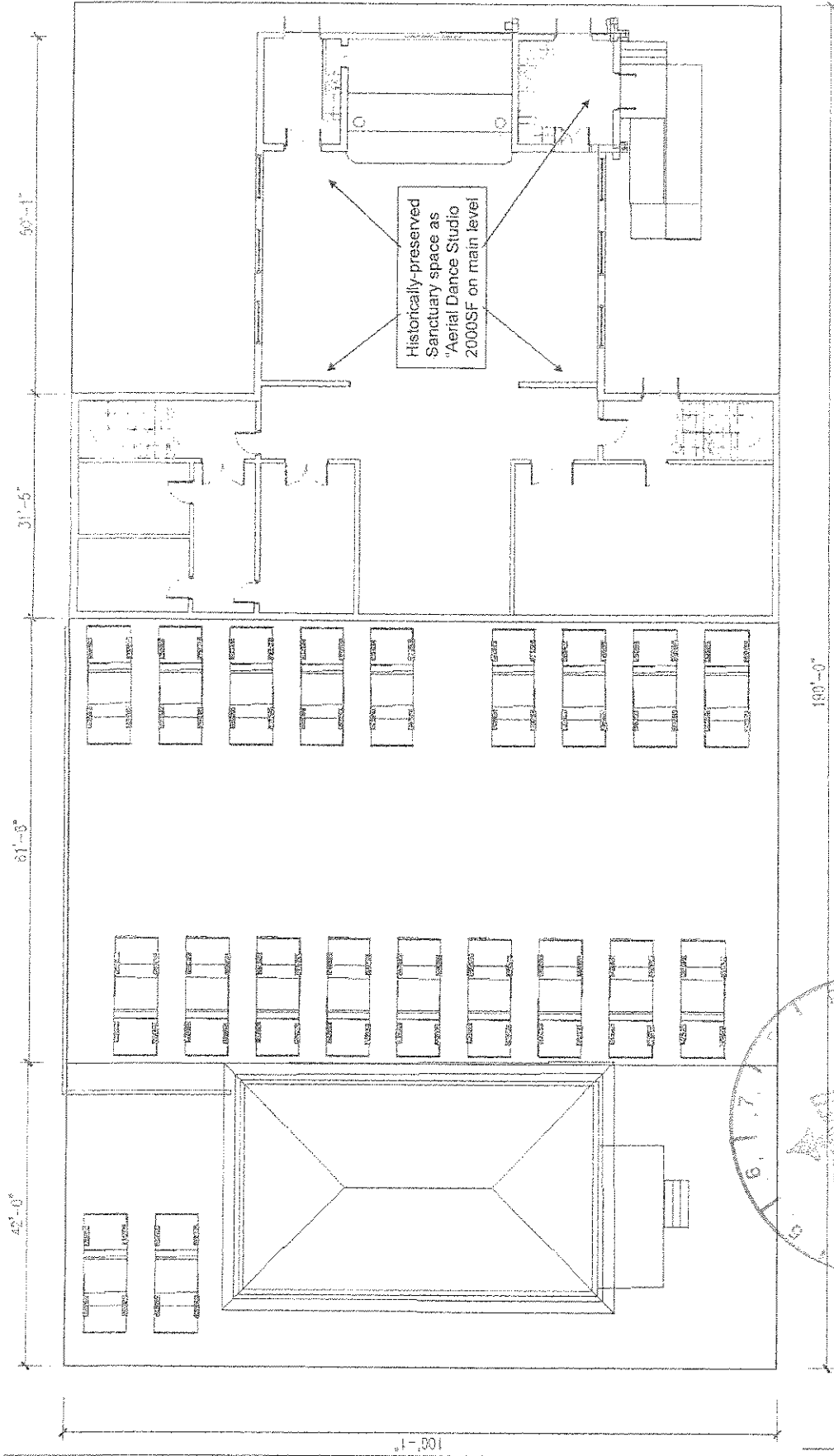
Scale 1"= 20'



575 Boulevard, SE, 574 Rosalia, SE
Former Grant Park-Aldersgate United Methodist Church
Plan - Proposed Mixed Use Configuration

Plan w / Interior
Space divisions
shown
& proposed
Rear balconies

P.1



COMMITTEE AMENDMENT FORM

DATE: 11/01/ 06

COMMITTEE ZONING PAGE NUM. (S) _

ORDINANCE I. D. #06-O-1950 SECTION (S)

RESOLUTION I. D. #06-R- PARA.

AMENDS THE LEGISLATION BY ADDING ELEVEN (11) CONDITIONS ONE
OF WHICH IS A SITE PLAN RECEIVED BY THE BUREA OF PLANNING
07/13/06..

AMENDMENT DONE BY COUNCIL STAFF 11/01/06.

City Council
Atlanta, Georgia

06-O-1950

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-92
Date Filed: 7-13-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **575 Boulevard, S.E.(578 Rosalia Street, S.E.,)** be changed from the R-5/HD (Two-family Residential/Historic District) District to the RG-4-C/HD(Residential General-Sector 4-Conditional/Historic District) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 44, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

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SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

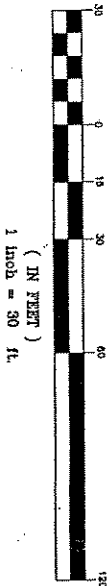
CONDITIONS FOR Z-06-92 for 575 Boulevard, S.E. (578 Rosalia Street, S.E.)

1. A site plan that is similar to the site plan titled, "575 Boulevard, SE – Former Grant Park Aldersgate United Methodist Church", stamped as received by the Bureau of Planning on July 13, 2006.
2. The AUDC shall provide their recommendation on the style, design and massing of the balconies. No grilling shall be permitted on the balcony area of the development. The balcony depth is no more than 10 feet. No personal objects shall be placed on the balconies and no animals shall be allowed on the balconies.
3. No free-standing signs shall be allowed on the property.
4. Dumpster pick up shall only be allowed between the hours of 8:00am and 5:00pm Monday through Saturday.
5. The number of Units in the development would be limited to 14 units. The number of parking spaces on premises shall be no less than 18.
6. The HVAC units (condensers) will all be located on the north side of the property.
7. No lights will be pointed at the street or adjacent houses. Existing signs on the East and South faces of the building and belfry will be removed.
8. Any sidewalk repair or maintenance shall be replaced with materials of like kind (i.e....serpentine brick or octagonal pavers).
9. Construction shall be limited to the hours of 7:00am to 7:00pm. No construction shall be permitted on Sunday.
10. There shall be a fence framing the parking lot with additional tall tree plantings.
11. The utility meters shall be located in the north side courtyard of the property.

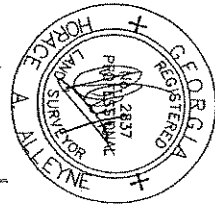
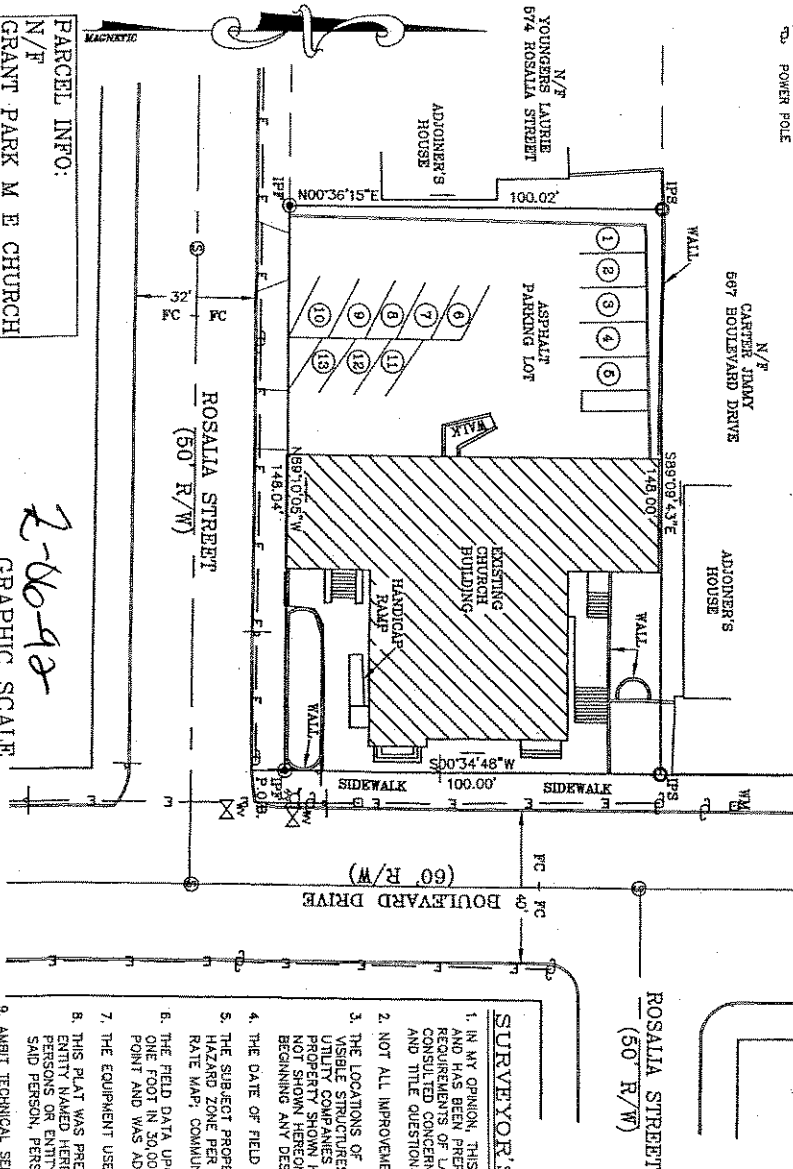
LEGEND

- PROPERTY LINE
- CENTERLINE ROAD
- FENCE
- SS - SANITARY SEWER
- W - WATER METER
- N/F - NOW OR FORMERLY
- R/W - RIGHT-OF-WAY
- W - WATER VALVE
- W - POWER POLE
- IPF - IRON PIN FOUND
- IPS - IRON PINS SET

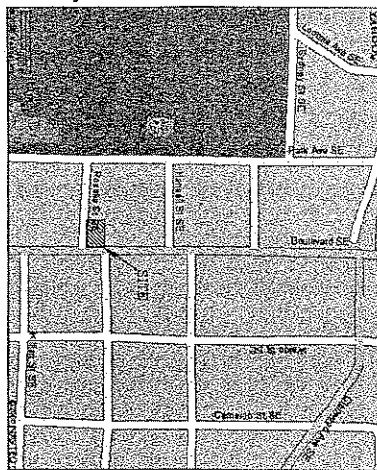
PARCEL INFO:
N/F
GRANT PARK M E CHURCH
676 BOULEVARD DRIVE
SQ. FT. = 14,803.00
ACRES = 0.34



2-66-92
GRAPHIC SCALE



VICINITY MAP NOT TO SCALE



REFERENCES
A. DEED BOOK 41441, PAGE 408

SURVEYOR'S NOTES

1. IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LANDS PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE BOARD OF SURVEYING AND MAPPING, GEORGIA. I HAVE CONSULTED THE RECORDS OF THE DEPARTMENT OF REVENUE AND THE LOCATION OF EASEMENTS AND TITLE QUESTIONS REVEALED BY TITLE EXAMINATION.
2. NOT ALL IMPROVEMENTS OR UTILITIES ARE SHOWN HEREON.
3. THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON VISIBLE STRUCTURES AND MAPS OR ON THE GROUND MARKINGS PROVIDED BY THE UTILITY COMPANIES SERVING THAT UTILITY, AND ARE APPROXIMATE ONLY. THE PROPERTY SHOWN HEREON MAY BE SERVED BY UNDERGROUND UTILITIES WHICH ARE NOT SHOWN HEREON. ALL UTILITY COMPANIES SHOULD BE CONTACTED BEFORE BEGINNING ANY DESIGN OR CONSTRUCTION.
4. THE DATE OF FIELD WORK FOR THIS SURVEY IS 6/30/08.
5. THE SUBJECT PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP; COMMUNITY PANEL NUMBER 13121C 0376F, EFFECTIVE DATE: 05/17/2001
6. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 30,000 FEET AND AN ANGULAR ERROR OF 2 SECONDS PER ANGULAR POINT AND WAS ADJUSTED USING COMPASS RULE.
7. THE EQUIPMENT USED FOR THIS SURVEY: TOPCON GTS-303 TOTAL STATION.
8. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.
9. AMBIET SERVICES DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY WETLANDS OR HAZARDOUS WASTES IN THE SURVEYED SITE.
10. THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET THE GEORGIA PLAT ACT AND TECHNICAL STANDARDS OF THE OFFICIAL CODE OF GEORGIA (GEO-1) THROUGH 180-10 AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT COUNTY RECORDS.

BOUNDARY AS BUILT

JEFFREY WILSON
575 BOULEVARD
ZONING R-5

LOCATION
LAND LOT 44
14TH DISTRICT
DECATUR COUNTY, GA.

534 MEDLOCK ROAD
SUITE 103
DECATUR, GA 30030
PH: (404) 373-9000
Ambit Technical Services

DATE	REVISION

SCALE: 1" = 30'
DATE: 7/5/08
DRAWN: JS
DWG #: 06-0180-01
SHEET: ONE OF ONE

06-0 -1950

City Council
Atlanta, Georgia

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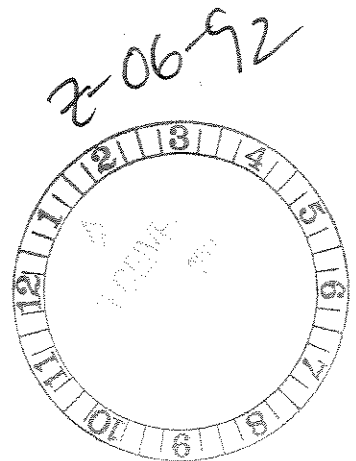
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 44 of the 14th District, Fulton County Georgia, and being more particularly described as follows:

Beginning at a point on the West line of Boulevard Drive and the North line of Rosalia Street, Said point being THE TRUE POINT OF BEGINNING:

Thence North $89^{\circ}10'05''$ West a distance of 148.04 feet to a point, thence North $00^{\circ}36'15''$ East a distance of 100.02 feet to a point, thence South $89^{\circ}09'43''$ East a distance of 148.00 to a point, thence South $00^{\circ}34'48''$ West a distance of 100.00 to the TRUE POINT OF BEGINNING.

Said Tract contains 0.34 acres being 575 Boulevard as shown on a boundary for Jeffrey Wilson, prepared by Ambit Technical Services, dated July 5, 2006



RCS# 503
9/05/06
2:54 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1919,1920,06-O-1949,1950,1951,1952
1953,1954,1955,1956
REFER

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 3
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	E Martin	Y Norwood
Y Young	Y Shook	B Maddox	E Willis
NV Winslow	Y Muller	E Sheperd	NV Borders

MULTIPLE